

### REMARKS

Claims 7-18 are pending in the application. These claims were rejected as follows:

Claims / Section	35 U.S.C. Sec.	References / Notes
10, 11, 13-15, 17	§103(a) Obviousness	<ul style="list-style-type: none"><li>• Wiedeman (U.S. Patent 5,448,623); and</li><li>• Akhavan (U.S. Patent 5,673,308).</li></ul>
7-9	§103(a) Obviousness	<ul style="list-style-type: none"><li>• Wiedeman (U.S. Patent 5,448,623);</li><li>• Akhavan (U.S. Patent 5,673,308); and</li><li>• Admission of Prior Art (APA).</li></ul>
12, 18	§103(a) Obviousness	<ul style="list-style-type: none"><li>• Wiedeman (U.S. Patent 5,448,623);</li><li>• Akhavan (U.S. Patent 5,673,308); and</li><li>• APA.</li></ul>

5           Applicant has amended independent claims 10 and 15 and has also provided discussion for distinguishing the present invention, with claims as amended, from the art cited against it.

Applicant's use of reference characters below is for illustrative purposes only and is not intended to be limiting in nature unless explicitly indicated.

10       **35 U.S.C. §103(a), CLAIMS 10, 11, 13-15 AND 17 OBVIOUSNESS OVER WIEDEMAN IN VIEW OF AKHAVAN**

1. *Applicant has amended independent claims 10 and 15 to include the limitation that calls made to the wireless communication terminal equipment are always and automatically directed to an appertaining base station in the home*  
15 *area.*

Independent claims 10 and 15, which constitute all independent claims in the application, have been amended to include the limitation that calls made to

the wireless communication terminal equipment are always and automatically directed to an appertaining base station in the home area.

This amended language makes clear that incoming telephone calls are always routed in a first step to the base stations of a home area. Only in the case  
5 of non-availability of the called wireless communication terminal equipment in the home area, the home base station initiates a rerouting of the call to the sub-communication network. This procedure is absolutely in contrast to the scenario described by Akhaven.

In the OA, on p. 4, under the heading "Response to Arguments", the  
10 Examiner stated that Akhavan discloses in col. 21, line 46 to col. 22, line 2, that a user BS will request call redirection for the user via the HLR.

Akhavan clearly states, at 21/63 – 22/2:

15 When subscriber station 310 roams out of the "home" zone, a radio link is established with the nearest cellular base station 304. This location is transmitted through the mobile switching center 303 and stored in the home location register 305 so that incoming calls for the subscriber 310 can be routed to the correct base station to establish cellular communication.

20 Thus, in Akhavan, once the subscriber roams out of the home zone, and its location stored in the home location register, further attempts to contact the subscriber are not routed to the user's base station, but instead are routed to the "correct" base station (i.e., the base station for the area that the user is presently in). This amended claim language clearly distinguishes over Akhaven.

25 2. *Wiedeman does not disclose that the sub-communication network may be the source of a call setup for rerouting the call.*

Wiedeman discloses a situation where a remote location called the "caller" 50 desires to make a telephone call to a cellular telephone user 30 that is roaming and is not located in a terrestrial cellular telephone service area (TCTSA). The caller 50 uses the PSTN 21 to call the user's HG12 or perhaps 5 some other equivalent location. The call is transferred by the PSTN switch to the user's HG12. The HG12 equipment 23 processes the call and, by accessing the home user data base 31, finds that the user 30 is roaming in the satellite service area 24 and thereby knows to route the call to the AG.

Thus, Wiedeman does not disclose that the sub-communication network 10 may be the source of a call setup for rerouting the call, which is an elementary part of the present invention.

3. *There is no motivation to combine Akhaven and Wiedeman since neither teaches the inventive rerouting according to the present invention, and since one does not provide a solution to problems raised in the other to result in* 15 *the present invention.*

Akhaven controls the routing of a call by the mobile switching center without addressing the base station of the home area, while the present invention specifically addresses the base station of the home area first. From a technical point of view, it is also clear that the mobile switching center can never be a part 20 of the base station of the home area, since it has to be a part of and associated with the whole communication network. Incoming telephone calls have to be switched even when the base station of the home area is switched off. Wiedeman does not solve this issue in that it does not disclose that the sub-communication network may be the source of a call setup for rerouting the call.

The functional use of the base station with respect to the call routing are at odds with one another, and thus could not be combined together. Thus, Applicants respectfully contend that one of ordinary skill in the art would not look to Wiedeman when attempting to arrive at the solution of the present invention in  
5 light of the teaching of Akhavan. The Examiner noted, on p. 4 of the OA, that "While Akhavan does not disclose that the BS is as directly involved in the determination of availability, Wiedeman discloses said availability determination.". However, this does not provide the motivation to combine. MPEP §2143.01(III) expressly states that the fact that reference can be  
10 combined or modified is not sufficient to establish *prima facie* obviousness... absent a teaching or suggestion of motivation to combine.

**35 U.S.C. §103(A), CLAIMS 7-9, 12, AND 18 OBVIOUSNESS OVER  
WIEDEMAN '623 IN VIEW OF AKHAVAN '308 AND APA**

15       3. *Applicants rely on the above arguments to overcome the §103 rejections for the remaining claims.*


Applicant respectfully asserts that the addition of APA to the combination of Wiedeman and Akhavan does not produce a combination that teaches or suggests the independent claims, as currently amended, and therefore also fails  
20 to teach or suggest the dependent claims.

For these reasons, the Applicant asserts that the amended claim language clearly distinguishes over the prior art, and respectfully request that the Examiner withdraw the §103(a) rejection from the present application.

### CONCLUSION

Inasmuch as each of the objections have been overcome by the amendments, and all of the Examiner's suggestions and requirements have been satisfied, it is respectfully requested that the present application be reconsidered, the rejections be withdrawn and that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

 (Reg. No. 45,877)

Mark Bergner  
SCHIFF HARDIN, LLP  
PATENT DEPARTMENT  
6600 Sears Tower  
Chicago, Illinois 60606-6473  
(312) 258-5779  
Attorney for Applicants  
Customer Number 26574

### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on June 6, 2006.

